

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FERNANDO SHAH

PETITIONER

ALPINE COUNTY SUPERIOR COURT

In Pro Se

RESPONDENT

RE: PETITION FOR WRIT / HABEUS CORPUS

CASE STATEMENT

On October 7, 2012 California State Traffic Amnesty was granted to the plaintiff in Sacramento County Superior Court proceedings for infractions of the California State Vehicle Code.

During the month of April, 2015; Citations for vehicle infractions were issued in Alpine County, despite approval to the California State Amnesty Program. Resulting in an arrest, and vehicle impound (Alpine County Superior Court Case Number M15 0565).

Under Title 42 USCA Section 1983, any questionable process in accordance with chaptered regulations with leave to amend can be presented before the District Court for propriety and resolve. The Superior Court findings did not comply with the State's Amnesty order (GC Services file #10310544) to remand garnishment of the vehicle, and the costs of its impound.

Plaintiff asks this petition be approved

Dated

Johanna 17, 2021

Signed,

Fernando Shah

POINTS AND AUTHORITIES

Warrantless Searches and Seizures affords room to vacate police or public records, by means of statute, state pardons, and other appellate court findings... no adequate solution or remedy was afforded to the plaintiff; resulting in vehicle loss, incarceration, and continued Superior Court restitutions. This petition is being submitted in pro se en lieu of criminal findings listed to (CLETS).

The Traffic Amnesty Program was valid through September 2015-17.

DOCUMENTS ENCLOSED

California DMV Investigations Form

Alpine County Pre Trial Conference Notice

Alpine County Minute Order

SUPERIOR COURT OF CALIFORNIA

COUNTY OF ALPINE

Honorable, **THOMAS D. KOLPACOFF**, Judge

Date: August 04, 2017

FERNANDO SHAW,

Petitioner,

vs.

Superior Court of California, Alpine County

Superior Court, Traffic Division,

Respondent,

NATURE OF PROCEEDINGS:

MINUTE ORDER

CASE NO.: L-17-1004

The Court caused the following Minute Order to be entered into the record.

The Petition for Writ filed August 3, 2017, fails to state a prima facie case and is therefore, summarily denied.

The Court hereby directs the clerk to serve a copy of this Minute Order to each party.

BY ORDER OF THE COURT

By: , Deputy

CLERK'S CERTIFICATE OF MAILING

I certify that I am not a party to this cause and that a true copy of this document was mailed first class, postage prepaid, in a sealed envelope, by inter-office mail, or hand delivered as shown below:

Date: 8-4-, 2017

By: , Deputy

FERNANDO SHAH
2118 E. WEBER AVENUE
STOCKTON, CA 95205

SUPERIOR COURT OF CALIFORNIA
IN AND FOR THE COUNTY OF ALPINE

PHONE (530) 694-2113

The People of the State of California
vs
FERNANDO ALAN SHAH

M-15-0565

8:30 AM PreTrial Conference

05/08/2017

Heard By: Meyer, Richard D

Courtroom Reporter: Jean Whitham

Bailiff: Timothy Mazzoni

Location: Department 2

Courtroom Clerk: Ann Greth

Probation Officer: Gordon Morse

Parties Present:

Future Hearings:

ACEVEDO, ERIC R.
ATWELL, MICHAEL NEAL
SHAH, FERNANDO ALAN
The People of the State of
California

Attorney
District Attorney
Defendant
Plaintiff

August 21, 2017 8:30 AM Review Hearing for Proof
of Completion of Community Work Service
Meyer, Richard D
Department 2

- Mr. Acevedo advises the Court that Defendant will be entering a no contest plea to Count I, and admitting prior.
Mr. Acevedo reports Defendant has obtained a valid driver's license.
Remaining counts to be dismissed and Counsel will be free to argue sentencing.
Defendant advised a no contest plea results in guilty finding on facts.
Defendant admits to prior allegation as reflected on the Criminal Complaint.
Mr. Atwell requests fine be imposed pursuant to Uniform Bail and Penalty Schedule; is satisfied with the four days jail served by Defendant.
Defendant addresses the Court regarding difficulties arranging transportation to Court from Stockton.
Defendant to pay \$500.00 of fine amount in monthly payments at the rate of \$75.00 per month commencing June 1, 2017.
Based upon Defendant's representation of his financial situation, the Court will allow Defendant to perform 50 hours community work service to satisfy remaining \$1,824.00 of fine.
Defendant may perform community work service in San Joaquin County.

cc: District Attorney, Public Defender, Defendant, *Probation*

- Advisement of Rights, Waiver & Plea Form Filed
- Court Found Plea Was Knowledgeable, Intelligently Made
- Defense Counsel Concurred in Defendants Plea or Admission
- Time Waived; by Defendant for sentencing
- Community service granted; 50 hours
- Filed Probation Order
- Probation Advisal; signed and filed

Plea Date: May 08, 2017

001.VC14601.1(a)- M -Driving When Privilege Is Suspended or Revoked With Prior

Plea: No Contest



SAC # Ph

(916) 222-0167

DMV close
18C4627553

INVESTIGATIONS

RECORD OF COMPLAINT FORM

RECEIVED
SEP 12 2018

READ THE ATTACHED BROCHURE BEFORE COMPLETING YOUR COMPLAINT. NOT ALL COMPLAINTS ARE INVESTIGATED

Instructions: Type or print the following information for the person filing the complaint and the Business/Seller the complaint is against.

[REDACTED]

NAME (FIRST, MIDDLE INITIAL(S), LAST)

Fernando A Shah

STREET OR P.O. BOX

2118 E. Weber Avenue

APT. NUMBER

DRIVER LICENSE OR IDENTIFICATION NUMBER

C2503435

CITY

Stockton

STATE

California

ZIP CODE

95205

DAY TELEPHONE NUMBER

(209) 465-0172

EVENING TELEPHONE NUMBER

()

SIGNATURE

X Fernando A Shah

DATE

Sept. 11, 2018

[REDACTED]

NAME (FIRST, MIDDLE INITIAL(S), LAST)

California-Nevada Transport and Tow

STREET OR P.O. BOX

1663 Forrest Way

TELEPHONE NUMBER

()

CITY

Carson City, Nevada

STATE

89706

ZIP CODE

DID YOU SEND A PREVIOUS COMPLAINT TO DMV AGAINST THIS BUSINESS/SELLER?

IF YES, WHEN?

NO

May we show a copy of your complaint to the business/seller? ☒ Yes ☐ No

If the transaction occurred at a location different than the business address above, please list it here.

STREET OR P.O. BOX

I-Lien P.O. Box 2135

CITY

Shingle Springs

STATE

California

ZIP CODE

95770

[REDACTED]

Type the license plate number and vehicle identification number as they are shown on the contract between the buyer and seller. Enter the purchase date (same as when the contract was signed)

YEAR

2007

MAKE

Honda

MODEL

Civic

LICENSE PLATE NUMBER

C2503435

STATE

California

VEHICLE IDENTIFICATION NUMBER (VIN)

2HGPG12647H551682

PURCHASE DATE

September 12th, 2009

[REDACTED]

After completion and eligibility for / onel California
State Vehicle Amnesty, My vehicle was not
returned to me, and moved out of state

SEE OTHER SIDE FOR ADDITIONAL SPACE AND INFORMATION

PS. After receiving payment & Court Clearances
Woodford's / X-Lien Companies have refused to
return my vehicle & personal belongings
that were in the car.
I was not notified that WOODFORDS TOW
lost their Business.

SECTION 5 - INFORMATION REQUIRED

To help explain the details of your complaint, **YOU MUST SUPPLY PHOTOCOPIES OF THOSE DOCUMENTS RELATED TO YOUR COMPLAINT.** (Include: contracts, warranties, receipts, cancelled checks, repair orders, photographs, letters)

—DO NOT SEND ORIGINAL DOCUMENTS—

PHOTOCOPY THE COMPLETED COMPLAINT. KEEP A COPY FOR YOUR RECORDS.

- Mail the complaint and copies of supporting documents to the Investigations Office
closest to where the incident took place (see list below).

**FAILURE TO SEND SUPPORTING DOCUMENTS
MAY DELAY RESPONSE TO YOUR COMPLAINT**

SECTION 6 - INVESTIGATION OFFICE

CITY	STREET ADDRESS	ZIP CODE
Artesia	17100 South Pioneer Boulevard, Ste. 320	90701-2762
Artesia (South Bay)	17100 South Pioneer Boulevard, Ste. 320	90701-2762
Bakersfield	7000 Schirra Court	93313-2117
Brisbane	150 North Hill Drive, Ste. 29	94005-1025
Chula Vista	30 North Glover Avenue	91910-1040
El Monte	3204 Rosemead Boulevard, Ste. 202	91731-2912
Fresno	2510 South East Avenue, Ste. 100B	93706-8007
Milpitas	860 Hillview Court, Ste. 100	95035-4567
Mission Hills (Granada Hills)	15455 San Fernando Mission Blvd., Ste. 305	91345-1353
Los Angeles (Culver City)	11400 West Washington Boulevard	90066-6089
Los Angeles (LA Metro)	3615 South Hope Street	90007-4370
Los Angeles (Lincoln Park)	13529 North Mission Road	90031-3120
Riverside	6296 Rivercrest Drive, Ste. A	92507-0738
Rocklin	4240 Rocklin Road, Ste. 11	95677-2862
Orange	750 The City Drive, Ste. 200	92868-6902
Sacramento	8259 Demetre Avenue, MS/L219	95828-0932
San Diego	4375 Derrick Drive	92117-4990
San Diego (Mission Valley)	2878 Camino Del Rio South, Ste. 310	92108-3847
Stockton	1507 East March Lane, Ste. B	95210-5625
Vallejo	200 Couch Street	94590-2904
Ventura	1732 Palma Drive, Ste. 202	93003-5717
West Covina	800 South Glendora Avenue, Rm-100	91790-4201

United States District Court
Northern District of California
450 Golden Gate Street
San Francisco, California 94102

January 17, 2021

RECEIVED

JAN 25 2021

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

To whom it may concern,

The purpose of this letter is to petition for a Writ of Habeas Corpus; to clear an unwarranted vehicle impound and garnishment that occurred in Alpine County.

The facts are simple... after being granted approval to the State's Amnesty program I was again detained for the same infractions pardoned by Sacramento County Superior Court (GC Services file #6413587).

I am seeking review and approval of this petition to clear the arrest records that were posted through CLETS and Chaptered State Vehicle Codes.

Dated

January 17, 2021

January 17, 2021

Signed,

Fernando Shah

[Signature]

Alpine County Superior Court Case M 15 0565

California Appellate Review Number L 17 1004

DMV Case Number 18C4L 27553

P. Stach
2118 E. Weber Ave
St. Louis, MO
95205

RECEIVED

FEB 01 2021
SUSAN Y. SOONG
CLERK U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

ATTN: Office of the Clerk

US District Court
Northern District of CA
450 Golden Gate Ave
SAN Francisco, CA
94102

SACRAMENTO CA 957
30 JAN 2021 PM 4 L



94102-34899